

FILED
HARRISBURG, PA

JUN 22 2004

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TYRONE P. JAMES

Plaintiff,

v.

YORK COUNTY POLICE DEPARTMENT,
JAMES H. MORGAN, RICHARD PEDDICORD,
RAYMOND E. CRUAL, GENE FELS,
DET. KESSLER, CO. BAYLARK,
RANDY SIPES, BRIAN WESTMORELAND,
and DETECTIVE GLOWCZESKI
Defendants,

MARY E. D'ANDREA, CLERK
Per RIN

CIVIL ACTION NO. 1:01-CV-1015
(Judge Kane)
(Magistrate Judge Mannion)

JURY TRIAL DEMANDED

MOTION TO COMPEL DISCOVERY

The Plaintiff's , Tyrone P. James, hereby pursuant to Rules 33, 36(a) and 37(a), Federal Rule Civil Procedure, for an Order Compelling the Defendant to answer the Plaintiff's Request For Admission; and to deems all objections to Defendants response to Plaintiff's Second request for Interrogatories, waived for not responding in a timely manners, as to Court Order, dated, May 4, 2004; and Defendant response to Plaintiff's request for Admission which was untimely. Plaintiff's avers the following:

1. On or about March 2004, Plaintiff's submitted Request for Admission, for the Defendants.

2. Defendants Morgan, Craul, Westmoreland, Kessler, and Glowczeski, answered within a timely manner; but Defendant Peddicord failed to answer as the Federal Rules of Civil Procedure, Rule 36, apply.

3. Defendants made several objections, denial and even refused to answer some of these admission.

5. There objections to plaintiff's admission are improper and sufficiently specific; Defendant denial to plaintiff request for admissions are not sufficiently specific, general statement, incomplete and doesn't addresses the substance of the requested admission, as it relate to laws, as to the facts of this civil case; also defendants refused to answer plaintiff's requests and provided evasive responses.

6. Defendants failed to respond with a verification pursuant to 28 U.S.C. § 1746.

7. Defendants have failed to comply with the Magistrate Order, dated, May 4, 2004, to response to Plaintiff's additional request for interrogatories, pursuant to Rules 33, Fed.R.Civ.P.; Defendants response were untimely therefore all there Objections and denial should be considered waived.

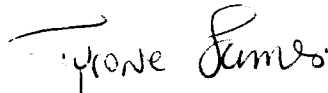
Plaintiff's has made an reasonable attempts to results this discovery issues without any favorable response by the Defendants.

The Defendants took deposition of plaintiff's on May 25, 2004; even though, this plaintiff's repeatedly requested for counsel, which was denied, by this Honorable Court; plaintiff's requested an inspection of the Depositions, and that all testimony be seal, from further use to any other proceedings; the Defendants have failed to supply plaintiff's with copy of the Depositions and to make any form of corrections.

WHEREFORE, plaintiff's pray that this Honorable Court grant him relief an order are full disclosure and response by the Defendants to Plaintiff's Second Request For Interrogatories and Admissions; as Defendants response are not sufficiently specifics and denial are incomplete, general evasive and not specifics. meaning insufficient, as to the facts of the laws to this case.

Respectfully Submitted,

Date: June 20, 2004



Tyrone P. James

P.O. Box A
Bellefonte, PA 16823-0820

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TYRONE P. JAMES	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 1:01-CV-1015
	:	(Judge Kane)
	:	(Magistrate Judge Mannion)
YORK COUNTY POLICE DEPARTMENT,	:	
JAMES H. MORGAN, RICHARD PEDDICORD,	:	JURY TRIAL DEMANDED
RAYMOND E. CRUAL, GENE FIELDS,	:	
DET. KESSLER, CO. BAYLARK,	:	
RANDY SIPES, BRIAN WESTMORELAND,	:	
and DETECTIVE GLOWCZESKI	:	
Defendants,	:	

CERTIFICATE OF SERVICE

I, Tyrone P. James, Plaintiff's, pro se, hereby certified that, I am this day serving a true and correct copy to assigned counsel's, "Motion To Compel Discovery," in the manner set forth below to the following, by placing said legal manila envelope, deposited into the institutional mail box, and turning over said documents to prison officials for mailing:

BY FIRST CLASS U.S. MAIL:

Jason C. Giurintano
Attorney General Office
Commonwealth Of Pennsylvania
15th Floor, Strawberry Square
Harrisburg, PA 17120

Donald L. Reihart, Esq.
Law Office Of Donald L. Reihart
3015 Eastern Blvd., Suite 204
York, PA 17402

I, Tyrone P. James, certify that the foregoing are true and correct, pursuant to 28 U.S.C. § 1746.

Date: June 20, 2004.

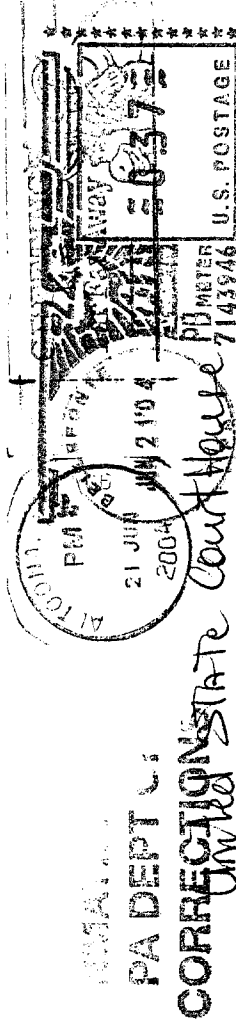
Respectfully Submitted,

Tyrone James

Tyrone P. James
EX 9451
P.O. Box A
Bellefonte, PA 16823-0820.

Name: *Tyone James*
Number: *EX9451*
Box *A*
Belleville, Pa. 16823

Legal Mail



*Office of The Clerk
United State District Court
Middle District of Pennsylvania
228 Walnut Street
P.O. Box 983
Harrisburg, PA 17108*

17108+0983 